

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BRIAN GILES,	)	4:17CV3050
	)	
Plaintiff,	)	
	)	MEMORANDUM
v.	)	AND ORDER
	)	
CITY OF LINCOLN, <i>et al.</i> ,	)	
	)	
Defendants.	)	

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In a memorandum and order entered on September 28, 2018 (Filing No. [75](#)), Magistrate Judge Cheryl R. Zwart: (1) granted Defendants' motion for phased discovery (Filing No. [45](#)); (2) denied Plaintiff's motion to compel (Filing No. [48](#)); and (3) denied Plaintiff's motion for leave to amend (Filing No. [65](#)). On October 12, 2018, Plaintiff filed a statement of objections to the memorandum and order (Filing No. [79](#)) and a request for oral argument (Filing No. [81](#)).

Plaintiff filed a 48-page brief in support of the statement of objections (Filing No. [80](#)), and Defendants filed a 30-page opposing brief on October 26, 2018 (Filing No. [83](#)). The motions at issue were also extensively briefed.<sup>1</sup> I find that the issues raised in Plaintiff's statement of objections are adequately discussed in the parties' briefs, and that oral argument is not necessary. *See* NECivR 7.1(d).

After careful review conducted pursuant to 28 U.S.C. § 636(b)(1)(A) and Federal Rule of Civil Procedure 72(a), I find that the challenged memorandum and order is not clearly erroneous or contrary to law.

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<sup>1</sup> See Filing Nos. [47](#), [58](#), [61](#) (Defendants' motion for phased discovery); Filing Nos. [49](#), [55](#) (Plaintiff's motion to compel); and Filing Nos. [66](#), [72](#), [73](#) (Plaintiff's motion for leave to amend).

Accordingly,

IT IS ORDERED:

1. Plaintiff's request for oral argument (Filing No. [81](#)) is denied.
2. Plaintiff's statement of objections (Filing No. [79](#)) is denied.
3. The Magistrate Judge's memorandum and order entered on September 28, 2018 (Filing No. [75](#)), is sustained and shall not be disturbed.

DATED this 31<sup>st</sup> day of October, 2018.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge